



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Manfred Bohn et al.

Serial No. 09/077,194

Filing Date: May 26, 1998

**USE OF 1-HYDROXY-2-PYRIDONES
FOR THE TREATMENT OF
SEBORRHEIC DERMATITIS**

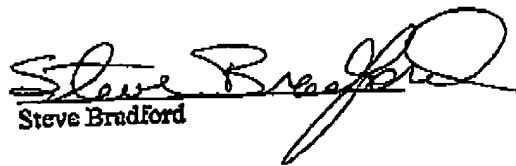
DECLARATION OF STEVE BRADFORD

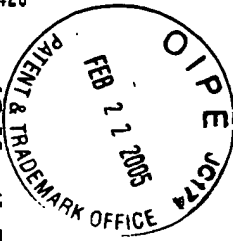
I, Steve Bradford, do hereby declare that:

1. I am Director of Marketing for Medicis Pharmaceutical Corporation ("Medicis"), a licensee under the above-identified patent application.
2. The attached spreadsheet reflects the new prescriptions (NRx) and total prescriptions (TRx) in thousands by the month for Loprox® Shampoo, its closest competitors and the market for a seborrheic dermatitis shampoo.
3. The percentages in the spreadsheet reflect the change as compared to the same month of the previous year.
4. I understand that Loprox® shampoo would be covered by several of the pending claims in the above-identified patent application.
5. As reflected on the attached spreadsheet, Loprox® Shampoo is a very successful product.
6. The total prescriptions per month in the market has remained approximately the same (about 240,000 prescriptions/month, see last row of the spreadsheet), but Loprox® Shampoo has been taking an increasing percentage of the market (in December 2004, 37,000 prescriptions).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and any registration resulting therefrom.

Date: Feb 18, 2005


Steve Bradford



12-Month Rolling Prescription Report

% change refers to Month '04 vs same Month '03

T-450 P.005/005 F-428

LOPROX Shampoo Nrx												
	Dec '03	Jan '04	Feb '04	Mar '04	April '04	May '04	June '04	July '04	Aug '04	Sep '04	Oct '04	Nov '04
LOPROX Nrx	21	21	21	24	22	21	22	21	22	21	22	23
% Chg					323.0%	63.0%	38.0%	30.0%	38.0%	21.0%	14.0%	19.0%
Selenium Sulfide	34	35	33	39	37	38	40	40	42	39	39	37
% Chg	3%	-6%	3%	4%	0%	-3%	0%	-4%	-3%	-1%	-5%	7%
CapeX	17	17	16	17	15	13	12	11	11	11	11	11
% Chg	-15%	-20%	-16%	-15%	-21%	-25%	-27%	-30%	-30%	-35%	-40%	-33%
Ketoconazole(s)*	77	82	85	91	81	77	81	80	83	79	85	84
% Chg	-14%	-32%	-64%	-73%	-80%	-83%	-84%	-86%	-84%	-79%	-70%	-62%
Market Nrx	149	155	155	171	155	149	155	152	158	150	157	155
% Chg	5%	-2%	-1%	13%	-3%	-3%	3%	1%	7%	0%	-2%	8%

LOPROX TRX												
	Dec '03	Jan '04	Feb '04	Mar '04	April '04	May '04	June '04	July '04	Aug '04	Sep '04	Oct '04	Nov '04
LOPROX TRX	29	29	30	35	33	33	34	33	34	32	34	35
% Chg	NA	NA	NA	NA	520.0%	137.0%	92.0%	70.0%	70.0%	47.0%	32.0%	33.0%
Selenium Sulfide	50	50	47	55	52	53	56	55	57	54	53	51
% Chg	3%	-4%	3%	6%	-1%	3%	0%	-3%	2%	-1%	-5%	4%
CapeX	31	30	27	30	26	24	23	21	21	20	21	20
% Chg	-14%	-18%	-14%	-14%	-20%	-23%	-24%	-26%	-25%	-31%	-35%	-31%
Ketoconazole(s)*	130	127	118	133	121	117	121	121	125	120	124	124
% Chg	-14%	-30%	-60%	-69%	-76%	-80%	-81%	-83%	-82%	-77%	-70%	-63%
Market TRx	240	236	222	253	232	227	234	230	237	226	232	230
% Chg	-2%	-4%	-4%	6%	-1%	-6%	-1%	-3%	2%	-4%	-8%	-2%

*Ketoconazole prescriptions include both branded (NIZORAL) and the generic ketoconazole

Feb-21-2005 02:18pm From-

02/18/2005
Loprox Shampoo NPA data.xls
LOPROX SHAMPOO NPA data

CONFIDENTIAL